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STATE PROCUREMENT OFFICE
NOTICE OF AND REQUEST FOR EXEMPTION
FROM CHAPTER 103D, HRS

HAR-ED
7682.09

1. TO: Chief Procurement Officer
2. FROM: Transportation/Harbors Division

DATE: February 12, 2009

Department/Division/Agency

Pursuant to §103D-102(b)(4), HRS, and Chapter 3-120, HAR, the Department requests a procurement exemption to purchase the following:

3. Description of goods, services or construction:

Design consultant services are needed to provide design and construction administration services (ie. review of contractor submittals, answering Request for Information (RFI's), attending pre-construction meetings, site visits, final inspections, assisting in plan revisions, and project close out requirements) for Harbors Project No. H.C. 5329, Pier 1 Shed Modifications, Hilo Harbor.

4. Name of Vendor: Wesley R. Segawa & Associates, Inc. (WRSA)

5. Price:

\$150,000

Address: 736 South Street, Suite 203
Honolulu, HI 96813

6. Term of Contract: *CPO Approval*
From: *Mar. 2009*

To: *Mar. 2010 3/5/2010* *OK*

7. Prior Exemption Ref. No.

8. Explanation describing how procurement by competitive means is either not practicable or not advantageous to the State:
See Attachment A dated 2/5/09 for complete information.

9. Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:

Harbors Division intends to negotiate the price for the revised scope of work with WRSA. Upon successful negotiation, a new contract will be executed to accomplish the work. As the original consultant who designed the project, WRSA has the background knowledge, design familiarity and expertise required to complete the work expeditiously and efficiently. WRSA's existing knowledge as the original design consultant makes it practicable for the State to continue with their services versus a competition which would introduce consultants unfamiliar with the design into the project.

10. A description of the agency's internal controls and approval requirements for the exempted procurement: *design consultant* *OK*
The Harbors Division will identify the scope of work and negotiate a price with WRSA to provide *engineering* services for the work to be accomplished. A new contract will be drafted by the Harbors Division project manager for the consultant to review and approve. The Harbors Division will then process internally (Program Manager concurrence and Administrator approval) before sending the contract to the DOT Contracts office. After finalization, the contract will be issued to WRSA with a notice to proceed to start the work. The Harbors Division Program Manager will oversee the progress of work.

REQUEST FOR EXEMPTION FROM CHAPTER 103D, HRS (Cont.)

12. A list of agency personnel, by position, who will be involved in the approval process and administration of the contract:

Name	Position	Involvement in Process	
Randal Hiraki <i>FL</i>	Harbors Project Manager	<input type="checkbox"/> Approval	<input checked="" type="checkbox"/> Administration
Marshall Ando <i>W</i>	Harbors Design Engineer	<input type="checkbox"/> Approval	<input checked="" type="checkbox"/> Administration
Frederick Nunes <i>FN</i>	Engineering Program Manager	<input type="checkbox"/> Approval	<input checked="" type="checkbox"/> Administration
Davis Yogi <i>Y</i>	Harbors Administrator	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Administration
		<input type="checkbox"/> Approval	<input type="checkbox"/> Administration
		<input type="checkbox"/> Approval	<input type="checkbox"/> Administration

13. Direct inquiries to:

Department: Transportation
Contact Name: Randal Hiraki
Phone Number: 587-1958
Fax Number: 587-1864

Agency shall ensure adherence to applicable administrative and statutory requirements

14. *I certify that the information provided above is, to the best of my knowledge, true and correct.*

humanity
Department Head

2-18-09
Date

Reserved for SPO Use Only

15. Date Notice Posted *3/5/09*

The Chief Procurement Officer is in the process of reviewing this request for exemption from Chapter 103D, HRS. Submit written objections to this notice to issue an exemption from Chapter 103D, HRS, within seven calendar days or as otherwise allowed from the above posted date to:

Chief Procurement Officer
State Procurement Office
P.O. Box 119
Honolulu, Hawaii 96810-0119

Chief Procurement Officer's comments:

16.

☒ APPROVED ☐ DISAPPROVED ☐ NO ACTION REQUIRED

Adam S. Fyfe
Chief Procurement Officer Date *3/18/09*